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Attorney Docket: BP9901-US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application Serial No:	**09/593,914** **Confirmation No. 8319**
Date Filed:	June 14, 2000
Application Title:	Probes, Probe Sets, Methods And Kits Pertaining To The Detection, Identification And/Or Enumeration Of Yeast; Particularly in Wine
Applicant:	Hyldig-Nielsen et al.
Group Art Unit:	1634
Examiner:	C. Meyers
Application Status:	Pending – Prosecution Closed
Action Type:	Final Office Action issued on October 20, 2005

Certificate of Transmission:
37 C.F.R. § 1.8

I hereby certify that this correspondence is being facsimile transmitted to the U.S. Patent and Trademark Office (Fax No. 571-273-8300) on this 28th day of October, 2005.

Brian D. Gildea
Reg. No. 39,995

Reply To Office Action

Commissioner for Patents
Dear Sir or Madam:

This response is being filed within the three month shortened statutory period set for reply to the Office Action dated October 20, 2005. Therefore, please consider the following response to said Office Action.

OK to enter Chrystal 11-7-05

I. ACTION SUMMARY

Claims 10-12, 16, 18, 19, 21-26, 29, 32, 34, 46-49, 61,62, and 80-104 stand pending in this application. The Examiner has withdrawn claims 34 and 99-104 from further consideration. Claims 80-82 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Kosse (reference DF) in view of Stender (1998; WO98/15648; reference BB) and in further view of Parton (US 5,905,038). Claims 10-12, 16, 18-19, 21-

PAGE 2/10 * RCVD AT 10/28/2005 10:09:59 AM [Eastern Daylight Time] * SVR:USPTO-EFXRF-6/28 * DNIS:2738300 * CSID:508 383 7468 * DURATION (mm-ss):02-18